IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

SUSAN MARTINEZ AND

RICKIE MARTINEZ,

Civil Case No.: 1:12-cv-1227 Plaintiffs,

ENHANCED RECOVERY COMPANY,

LLC.,

vs.

Defendant.

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiff, SUSAN MARTINEZ AND RICKIE MARTINEZ, and Defendant, ENHANCED RECOVERY COMPANY, LLC., stipulate, and the Court hereby orders, as follows:

The dispute between the parties has been settled; therefore, the claims asserted by Plaintiff, SUSAN MARTINEZ AND RICKIE MARTINEZ, against Defendant, ENHANCED RECOVERY COMPANY, LLC., in the above-captioned proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(ii).with each party to bear its own fees and costs

Dated: July 18, 2013 Respectfully Submitted,

> By: /s/ Charles N. Lakins Charles N. Lakins, Esq. P.O. Box 91357 Albuquerque, NM 87199 (505) 404-9377 Fax – (877) 604-8340 Attorney for Plaintiff

Dated: July 18, 2013 Respectfully Submitted,

By: /s/Kenneth J. Ferguson Kenneth J. Ferguson, Esq. 816 Congress Avenue, Suite 1510 Austin, Texas 78701 (512) 391-0197 Fax – (512) 391-0831 Attorney for Defendant